

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	CRIMINAL ACTION NO.
v.)	2:17cr337-MHT
)	(WO)
GILBERTO SANCHEZ)	

RESTITUTION OPINION AND JUDGMENT

This matter is before the court to determine the amount of restitution, if any, to be imposed on the defendant in accordance with the provisions of Title 18, United States Code, Sections 3663A and 3664. The defendant was sentenced on August 28, 2018 with the Judgment and Conviction being entered on September 14, 2018 (doc. no. 102). Left, however, for resolution was the determination of the amount of, if any, restitution the defendant would be ordered to pay.

A hearing was held regarding restitution on November 13, 2018. At this hearing the parties advised that they had reached an agreement as to the amount of restitution due to be imposed. More specifically, the

parties agreed that restitution was owed by the defendant to the following entities in the following amounts: 1) Medicare, \$ 3,754,992.63; 2) Blue Cross and Blue Shield of Alabama, \$ 3,521,599.43; and Viva Healthcare, \$ 440,076.42. The aggregate restitution amount agreed to by the parties was therefore, \$ 7,716,668.48.

Based upon the representations of the parties as to the manner by which these figures were determined and given the facts of the case as disclosed in the presentence investigation report (doc. no. 99) and in open court during the sentencing proceedings held August 28, 2018, the court accepts the agreement of the parties and finds that it is in accord with the statutory provisions governing the imposition of an order of restitution.

Finally, several other persons who have either entered pleas of guilty or been found guilty by a jury of offenses arising from the same nucleus of operative facts have yet to be sentenced. As some of these

persons may also be responsible for part of the restitution imposed herein, the court anticipates the need may arise to re-visit this order to determine whether joint and several liability is appropriate. This possibility, if not probability, need not deter the court, however, from entering its order as to the defendant at the present time.

Accordingly, it is the JUDGMENT, ORDER and DECREE of this court that pursuant to Title 18, United States Code, Section 3663A, the defendant, Gilberto Sanchez, is to make restitution to the following entities in the following amounts: 1) Medicare, \$ 3,754,992.63; 2) Blue Cross and Blue Shield of Alabama, \$ 3,521,599.43; and Viva Healthcare, \$ 440,076.42.

It is further ORDERED that these moneys are due and payable immediately and that any funds received are to be distributed amongst the victims on a pro rata basis.

DONE, this the 16th day of November, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE